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Remarks

Applicants hereby add new claims 33-45. Accordingly, claims 1-45 are pending in the present application.

Claims 1, 3-4, 6-8, 10-16, and 18-33 stand rejected under 35 USC 102(e) for anticipation by U.S. Patent No. 5,982,999 to Aoyagi et al. Claims 2, 5, 9 and 17 stand rejected under 35 USC 103(a) for obviousness over Aoyagi in view of U.S. Patent No. 5,995,722 to Kishida.

Applicants respectfully request reconsideration of the rejections.

Claim 1 recites the host computer including an *interface configured to receive edits of original data providing edit data*. The Office Action relies upon teachings in col. 8, lines 35-45 (including item 407) as allegedly disclosing the claimed interface configured to receive of edits of original data providing edit data. The identified teachings relate to operations of *memory board 102* and disclose reading of image data from memory 403 to computer 100 and writing image data from computer 100 into the image memory 403. The teachings of the memory board 102 of Col. 8 relied upon by the Office fail to teach or suggest the claimed interface of the host computer configured to *receive edits of original data providing edit data*. Limitations of claim 1 are not shown nor suggested and claim 1 is allowable for at least this reason.

Aoyagi also fails to disclose or suggest the claimed *image forming device including the processor configured to process original data and edit data as claimed*. The generic teachings of cols. 18-19 relied upon by the Office fail to disclose the *processor of the image forming device* as claimed. Furthermore, the reading of image data from the scanned document by the copier of Aoyagi fails to teach or suggest the claimed *processor of the image forming device configured to process original data stored in the memory of the host computer*. The teachings of cols. 18-19 fail to teach or suggest the processor of the *image forming device configured to process the edit data provided by edits of the original data received by the interface of the host computer*. The claimed processor of the image forming device is not disclosed nor suggested by the prior art and claim 1 is allowable for this additional reason.

Aoyagi also fails to disclose or suggest the claimed image engine configured to form an image corresponding to the *processed original data and the processed*

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edit data. The RGB data of Aoyagi is converted to BCMY data and accordingly no forming of an image corresponding to processed original data is provided. Further, Aoyagi fails to disclose or suggest processing of BCMY data, accordingly, Aoyagi fails to disclose or suggest forming an image corresponding to the *processed* edit data. Numerous positively-recited limitations of claim 1 are not shown nor suggested by Aoyagi and claim 1 is allowable for at least this reason.

In the event that a rejection of the claims is maintained with respect to the prior art, or a new rejection made, Applicants respectfully request identification *in a non-final action* of elements which allegedly correspond to limitations of the claims in accordance with 37 C.F.R §1.104(c)(2). In particular, 37 C.F.R §1.104(c)(2) provides that *the pertinence of each reference, if not apparent, must be clearly explained and each rejected claim specified.* Further, 37 C.F.R. §1.104(c)(2) states that the Examiner must cite the best references at their command. When a reference is complex or shows or describes inventions other than that claimed by Applicants, the particular teachings relied upon must be designated as nearly as practicable. The pertinence of each reference if not apparent must be clearly explained for each rejected claim specified. Applicants respectfully request clarification of the rejections with respect to specific references and specific references teachings therein pursuant to 37 C.F.R. §1.104(c)(2) in a *non-final Action* if any claims are not found to be allowable. For example, Applicants at a minimum request specific identification of the teachings of Aoyagi (with identification by reference number) relied upon as allegedly teaching the claimed original data and edit data, the identification of claimed editing and processing, as well as the structure of Aoyagi as allegedly disclosing the claimed image forming device.

The claims which depend from independent claim 1 are in condition for allowance for the reasons discussed above with respect to the independent claim as well as for their own respective features which are neither shown nor suggested by the cited art.

Referring to the 103 rejection of dependent claim 2, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the

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reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. See, e.g., MPEP §2143 (8th ed., rev. 5).

Furthermore, for a proper 103 rejection, the examiner must establish a factual basis to support the legal conclusion of obviousness. See In re Fine, 837 F.2d 1071, 1073, 5 USPO2d 1596, 1598 (Fed. Cir. 1988). Reasons for the decision to combine references must be articulated. In re Lee, 277 F.3d 1338, 1342, 61 USPQ2d 1430, 1433 (Fed. Cir. 2002). It is insufficient to rely on the examiner's own understanding or experience, or the Examiner's assessment of what would be basic knowledge or common sense but rather must point to some concrete evidence in the record in support of these findings. In re Zurko, 258 F.3d 1379, 1386, 59 USPQ2d 1693, 1697 (Fed. Cir. 2001).

The Office on page 8 of the Action fails to set forth an adequate factual basis for combining the references. There is no evidence of record that the teachings of Kishida may be incorporated into the copy system arrangement of Aoyagi. The Office has identified no factual basis that the copy system of Aoyagi directed to scanning of documents can be modified to rasterize original data and edit data as claimed. The Office has identified no factual basis that any improvement to Aoyagi results from the combination of reference teachings. Furthermore, the mere fact that references *can* be combined or modified does not render the resultant combination obvious *unless the prior art also suggests the desirability of the combination*. MPEP §2143.01III (8th ed., rev. 5) *citing In re Mills*, 916 F.2d 680, 16 USPQ2d 1430 (Fed. Cir. 1990).

In addition, Applicants include herewith a dictionary definition of "rasterization" from the *Microsoft Computer Dictionary*, 5th ed., 2002 stating that such is the conversion of vector graphics (images described in terms of mathematical elements, such as points and lines) to equivalent images composed of pixel patterns that can be stored and manipulated as sets of bits. As disclosed in col. 9, lines 22 of Aoyagi, the scanned images are already pixel images and Applicants have failed to uncover any usage of vector graphics in Ayogai where rasterization may be applicable let alone in a manner to teach the claimed image

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forming device configured to *rasterize both the original data and the edit data as claimed.*

The Office failed to establish proper factual basis for combining the reference teachings and the rejection of claim 2 is improper for at least this reason.

Furthermore, even if the references are combined, the combination fails to teach or suggest limitations of the claims and the Office has failed to establish a proper *prima facie* 103 rejection for this additional reason. More specifically, claim 2 recites rasterizing original data and edit data. Even if Kishida is combined with Aoyagi, such combination fails to disclose or suggest rasterization of both *original data and edit data*. The mere rasterization teachings of data of Kishida fail to disclose or suggest any rasterization of both original data and *edit data resulting from edits of the original data* as claimed. Limitations of claim 2 are not shown nor suggested and claim 2 is allowable for at least this additional reason.

Referring to independent claim 6, the teachings of col. 18, lines 52-55 of Aoyagi fail to teach or suggest the claimed plural acts including *receiving the original data within an image forming device and processing the original data using the image forming device*. The teachings of col. 18 of reading image data considered to teach the claimed processing fails to teach processing of the original data in combination with the claimed receiving. Limitations of claim 6 are not disclosed nor suggested by the prior art and claim 6 is allowable for at least this reason.

The teachings of col. 18, lines 55-58 fails to teach or suggest the claimed receiving edit data of the original data within the image forming device and claim 6 is allowable for this additional reason.

The teachings of col. 18, lines 65-67 fails to teach or suggest the claimed second processing the edit data *using the image forming device*. Furthermore, the reading out of data of col. 19, lines 1-4 fails to teach or suggest processing the edit data. In addition, the teachings of col. 18, lines 65 - col. 19, line 4 fail to teach processing of data of col. 18, lines 55-58 which is identified as allegedly teaching the receiving of the edit data which is processed. These limitations of claim 6 are not disclosed nor suggested by the prior art and claim 6 is allowable for at least this reason.

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Finally, claim 6 also recites forming an image after the processings *corresponding to the original data and the edit data*. The teachings of col. 19, lines 5-16 fail to teach or suggest any forming an image let alone the specifically claimed forming the image corresponding to both the original data and the edit data. These limitations of claim 6 are not disclosed nor suggested by the prior art and claim 6 is allowable for at least this reason.

The claims which depend from independent claim 6 are in condition for allowance for the reasons discussed above with respect to the independent claim as well as for their own respective features which are neither shown nor suggested by the cited art.

For example, referring to claim 31, the teachings of col. 19 relied upon by the Office fail to teach or suggest the claimed *combining the processed original data and the processed edit data*. Claim 31 is allowable.

Referring to claim 14, the method recites *providing original data using a host computer*. The Office fails to identify any teachings of the prior art which disclose the claimed providing the original data. Limitations of claim 14 are not disclosed nor suggested by the prior art and claim 14 is allowable for at least this reason.

Applicants respectfully request issuance of a *non-final* Action if claim 14 is not allowed and which properly identifies prior art teachings relied upon as disclosing the claimed providing original data in compliance with the above-recited CFR authority so Applicants may appropriately respond during the prosecution of the present application.

Claim 14 further recites *first applying the original data to an image forming device*. The teachings of col. 18, lines 53-55 refer to reading data using a reader of the copying apparatus and fails to teach *applying data which was provided using the host computer*. These limitations of claim 14 are not disclosed nor suggested by the prior art and claim 14 is allowable for at least this reason.

The teachings of col. 18, lines 55-56 fail to teach or suggest any limitations of a host computer let alone the claimed editing the original data *using the host computer*. These limitations of claim 14 are not disclosed nor suggested by the prior art and claim 14 is allowable for at least this reason.

The printer reading out of the image data of lines 2+ of col. 19 fails to teach or suggest the claimed *processing the edit data using the image forming device*

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after the second applying the edit data to the image forming device as defined in claim 14. Aoyagi fails to teach or suggest the separately claimed acts of the second applying the edit data to the image forming device in combination with the claimed processing the edit data using the image forming device after the second applying. These limitations of claim 14 are not disclosed nor suggested by the prior art and claim 14 is allowable for at least this reason.

Col. 19, lines 4-16 of Aoyagi fail to teach or suggest the claimed *forming the image according to the original data and the edit data after the processings* as defined in claim 14. These limitations of claim 14 are not disclosed nor suggested by the prior art and claim 14 is allowable for at least this reason.

The claims which depend from independent claim 14 are in condition for allowance for the reasons discussed above with respect to the independent claim as well as for their own respective features which are neither shown nor suggested by the cited art.

For example, referring to claim 27, the teachings of cols. 18-19 relied upon by the Office on page 7 of the Action fail to mention a user let alone teach the claimed *editing responsive to edits indicated by a user*. Limitations of claim 27 are not disclosed nor suggested by the prior art and claim 27 is allowable for at least this reason.

Referring to independent claim 28, Aoyagi teaches the copying machine scanning documents which fails to teach or suggest the claimed *interface of the image forming device configured to receive original data and edit data from the host*. Claim 28 is allowable for at least this reason.

The Office has failed to identify any prior art teachings of the claimed interface of the image forming device configured to receive original data and edit data from the host, or that edit data comprises an *edit of the content*. If claim 28 is not allowed, Applicants respectfully request issuance of a *non-final action* which identifies teachings which allegedly disclose the above-identified limitations in accordance with the CFR so Applicants may appropriately respond.

Aoyagi fails to teach or suggest the claimed *processing circuitry of the image forming device configured to process both the original data and edit data*. These limitations of claim 28 are not disclosed nor suggested by the prior art and claim 28 is allowable for at least this reason.

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Finally, the Office has failed to identify any teachings of the claimed *image engine configured to form the image upon media using combined ones of the processed original data and the processed edit data* as recited in claim 28. These limitations of claim 28 are not disclosed nor suggested by the prior art and claim 28 is allowable for at least this reason. If claim 28 is not allowed, Applicants respectfully request issuance of a *non-final action* which identifies teachings which allegedly disclose the above-identified limitations in accordance with the CFR so Applicants may appropriately respond.

The claims which depend from independent claim 28 are in condition for allowance for the reasons discussed above with respect to the independent claim as well as for their own respective features which are neither shown nor suggested by the cited art.

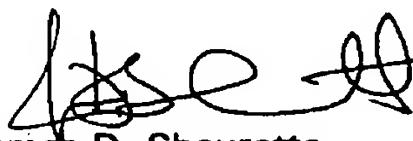
Applicants hereby add new claims 33-45 which are supported by Figs. 1-3 and the associated teachings of the specification.

Applicant respectfully requests allowance of all pending claims.

The Examiner is requested to phone the undersigned if the Examiner believes such would facilitate prosecution of the present application. The undersigned is available for telephone consultation at any time during normal business hours (Pacific Time Zone).

Respectfully submitted,
Brian Peavey et al.

By


James D. Shaurette

Reg. No. 39,833

Date: 2/28/07

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scan lines from top to bottom. Each scan line consists of pixels that can be illuminated and colored individually. Television screens and most computer monitors are raster displays. See also CRT, pixel. Compare vector display.

raster fonts *n.* Fonts that are stored as bitmaps. Raster fonts are designed with a specific size and resolution for a specific printer and cannot be scaled or rotated. If a printer does not support raster fonts, it will not print them. The five raster fonts are Courier, MS Sans Serif, MS Serif, Small, and Symbol. *Also called:* bitmapped fonts. See also font, printer.

raster graphics *n.* A method of generating graphics that treats an image as a collection of small, independently controlled dots (pixels) arranged in rows and columns. Compare vector graphics.

raster image *n.* A display image formed by patterns of light and dark or differently colored pixels in a rectangular array. See also raster graphics.

raster image processor *n.* A device, consisting of hardware and software, that converts vector graphics or text into a raster (bitmapped) image. Raster image processors are used in page printers, phototypesetters, and electrostatic plotters. They compute the brightness and color value of each pixel on the page so that the resulting pattern of pixels re-creates the vector graphics and text originally described. *Acronym:* RIP.

rasterization *n.* The conversion of vector graphics (images described in terms of mathematical elements, such as points and lines) to equivalent images composed of pixel patterns that can be stored and manipulated as sets of bits. See also pixel.

raster-scan display *n.* See raster display.

rate-adaptive asymmetric digital subscriber line *n.* See RADSL.

raw data *n.* 1. Unprocessed, typically unformatted, data, such as a stream of bits that has not been filtered for commands or special characters. See also raw mode. Compare cooked mode. 2. Information that has been collected but not evaluated.

raw infrared *n.* A method of receiving data through an infrared (IR) transceiver. Raw infrared treats the IR transceiver like a serial cable and does not process data in any way. The application is responsible for handling collision detection and other potential problems.

raw mode *n.* A way in which the UNIX and MS-DOS operating systems "see" a character-based device. If the identifier for the device indicates raw mode, the operating system does not filter input characters or give special treatment to carriage returns, end-of-file markers, and linefeed and tab characters. Compare cooked mode.

ray tracing *n.* A sophisticated and complex method of producing high-quality computer graphics. Ray tracing calculates the color and intensity of each pixel in an image by tracing single rays of light backward and determining how they were affected on their way from a defined source of light illuminating the objects in the image. Ray tracing is demanding in terms of processing capability because the computer must account for reflection, refraction, and absorption of individual rays, as well as for the brightness, transparency level, and reflectivity of each object and the positions of the viewer and the light source. Compare radiosity.

RCA connector *n.* A connector used for attaching audio and video devices, such as stereo equipment or a composite video monitor, to a computer's video adapter. See the illustration. See also composite video display. Compare phone connector.



RCA connector. A female version (left) and a male version (right).

RDBMS *n.* Acronym for relational data base management system. See relations, database.

RDF *n.* See Resource Description Framework.

RDO *n.* See Remote Data Objects.

RDRAM *n.* Acronym for Rambus dynamic random access memory. A type of DRAM designed by Rambus, Inc. In its fastest form, known as Direct RDRAM, this technology provides a 16-bit data path and a peak bandwidth of 1.6 GB per second (approximately eight to ten times faster than synchronous DRAM, or SDRAM). RDRAM has been used in graphics and video chips; Direct RDRAM is expected to replace DRAM and SDRAM in personal computers. *Also called:* Rambus DRAM. See also dynamic RAM, SDRAM.